87

Supreme Court, U.S.
FILED

071185 JAN 14 2008

OFFICE OF THE CLERK

No. _____

In The

Supreme Court of the United States

JAMES WIDTFELDT,
Appellant
v.
STATE OF NEBRASKA,
NEBRASKA STATE BAR ASSOCIATION
NEBRASKA SUPREME COURT
Appellee.

On Appeal From
The Nebraska Supreme Court

PETITION FOR WRIT OF CERTIORARI

James Widtfeldt
PO Box 877, 103 East State
Atkinson, Nebraska 68713
Tel 402/925-2535 Fax 402/925-2564
Email:
techtute@yahoo.com

March 12, 2008
(Fossum-Suter letter of January 17, 2008 allowed 60 days to make several corrections to the brief.)

BEST AVAILABLE COPY

00528 153P

QUESTIONS PRESENTED

Question Presented:

1. Should the State of Nebraska be allowed to breach over 27 contracts, and then "discipline" James Widtfeldt by suspending his law license, where the breaches of contract damage all the people of Nebraska?

ADDITIONAL PARTIES

No additional parties appear than those in the caption.

TABLE OF CONTENTS

ISSUE PRESENTED	i
PARTIES TO THE PROCEEDINGS BELOW	ii
TABLE OF CONTENTS	iii
TABLE OF AUTHORITIES	v
PETITION FOR A WRIT OF CERTIORARI	1
OPINIONS BELOW	2
JURISDICTION	4
RELEVANT STATUTORY PROVISIONS	5
STATEMENT	6
REASONS FOR GRANTING THE WRIT	
NEBRASKA FIGHTS FED. NUCLEAR LAW	6
NEBRASKA FIGHTS FED. CIVIL RIGHTS	7
NEBRASKA FIGHTS TAKINGS CLAUSE	8

HUD, NAF, NEOC ATTACK 15

HUD, NAF, NEOC CASES 18

NEBRASKA "CONTRACT" DIFFERENT 31

NEBRASKA ATTACKS NON-DISCRIM 33

SOURCES – APPENDIX 35

CONCLUSION 36

SIGNATURE 37

TABLE OF AUTHORITIES

Order of the Nebraska Supreme Court dated October 16, 2007, appearing at Appendix A 1, Appendix

Petition for Certiorari in US Supreme Court case 06-431) 2,5,6,30,36

US Supreme Court Petition for Certiorari Number 07-877, Widtfeldt vs Holt County Board of Equalization. 14

Entergy Arkansas, Inc. vs Nebraska, 226 F. Supp2d 1047 (Sep 30, 2002). 31, 32

S-04-001400, State Ex Rel Counsel for Discipline vs Widtfeldt (see US Supreme Court case 06-431) 3

TABLE OF AUTHORITIES

MULTICULTURAL NAF CASES

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0866-8-(2) 18

Multicultural NAF vs. James Widtfeldt, Inc., HUD

Case No 07-07-0888-8 (15) 18

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0890-8 (8) 18

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0894-8 (16) 19

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0895-8 (13) 19

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0896-8 (12) 20

TABLE OF AUTHORITIES

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0897-8 (4) 20

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0898-8 (10) 20

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0899-8 (7) 20

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0900-8 (5) 21

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No. 07-07-0901-8 (9) 22

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0902-8 (6) 22

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0903-8 (3) 22

TABLE OF AUTHORITIES

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0904-8 (11) 23

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0905-8 (14) 23

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0905-8 (14) 24

NEBRASKA EQUAL OPPORTUNITY CASES

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2249-H 24

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2250-H 24

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2251-H 25

TABLE OF AUTHORITIES

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2252-H 25

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2253-H 26

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2255-H 26

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2254-H 27

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2256-H 27

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2257-H 27

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2258-H 28

TABLE OF AUTHORITIES

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2259-H 28

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) NEB 2-07/08-9-2260-H 28

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) Neb 2-07/08-9-2261-H 29

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) Neb 2-07/08-9-2262-H 29

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt

(SP) Neb 2-07/8-10-2248-H 30

United States Code Sections

28 *USC* § 1257 **4**

42 USC §1983 **34**

5th amendment takings clause, US Constitution *8*

TABLE OF APPENDICES

Appendix A October 16, 207 letter decision, Neb Supreme Court

Appendix B 27 cases filed beginning about September 18, 2007 by HUD-NAF-NEOC against Widtfeldt alleging discrimination in effort to enforce racism in O'Neill and close down most popular Hispanic housing in O'Neill, Nebraska.

Appendix C September 13, 2007 Holt County Independent article page 1, "Partnership Brings New Home Construction to City of O'Neill"

Appendix D September 23, 2004 affidavit by Nancy Sukup claiming that no tape recording exists of crucial formal opening hearing in Marr Estate, as part of scheme to claim medical expenses of PR Kissinger should not be allowed as part of administrative fees..

Appendix E NSBA vs Widtfeldt, 271 Neb 851, 716 NW 2d 68.

Appendix F NSBA vs Widtfeldt, 269 Neb 289, 691 NW 2d 531

Appendix G Repudiations by renters of purported representation by HUD, NAF, NEOC.

Appendix H August 24, 2006 judgment by Nebraska Supreme Court --***Nebraska vs Widtfeldt ex rel NSBA*** part of 271 Neb 851, 716 NW2d 68

Appendix I Private Reprimand, ***Nebraska vs Widtfeldt ex rel NSBA***, no cite

PETITION FOR WRIT OF CERTIORARI

Petitioner James Widtfeldt respectfully petitions for a Writ of Certiorari to review an Order of the Nebraska Supreme Court dated October 16, 2007, appearing at Exhibit A in the Appendix, and overturning or terminating all suspensions of Widtfeldt, which are for two years or indefinitely apparently at such time when Petitioner agrees to be less self confident about enforcing private property rights, defending against breach of contract even when put in the guise of government regulation, valuation decreases due to excessive government regulation, racial discrimination imposed artfully under the cover of regulation by Nebraska Equal

Opportunity Commission (NEOC), Housing and Urban Development (HUD), and Nebraska Agricultural Farm workers (NAF), and contract law.

OPINIONS BELOW

On October 16, 2007 the Nebraska Supreme Court "overruled" a Motion by James Widtfeldt to Re-Open the Judgment herein submitted or filed October 10, 2007.

The Motion to Re-Open Nebraska Supreme Court case S-04-1400 ***(included in previous Petition for Certiorari in US Supreme Court case 06-431)*** was based on new information not available to James Widtfeldt, and not argued to

the Nebraska Supreme Court in the original case, S-04-001400, State Ex Rel Counsel for Discipline vs Widtfeldt, including the following approximately contemporaneous with the Motion, about 27 new HUD-NEOC-NAF cases were filed, pretending to represent various renters of Widtfeldt, all repudiated by the renters, the result of which litigation was to interfere with a major remodeling of rental property nearly completed by obstructing the remodeling and interfering with Widtfeldt's contracts with renters, and Widtfeldt's expectation of profits or even to break even, based on new investments immediately preceding the 27 cases.

JURISDICTIONAL STATEMENT

This court's jurisdiction is invoked pursuant to 28 USC § 1257. Appeal is made of a refusal to re-open case S-04-1400, which was an action resulting in a suspension of the right to practice law, and other similar cases.

The State of Nebraska is breaking its contract with Widtfeldt, and the people of Nebraska, to follow the Bill of Rights in the US and Nebraska Constitution, and the provisions for abiding contracts.

Because the Nebraska defaulted on its contract on the low level radioactive waste siting, and appear to be trying to cause Widtfeldt to breach other federal laws, the attempted

elimination of James Widtfeldt to further Nebraska's defaults should be thwarted and Widtfeldt reinstated for the protection of the people of Nebraska. The conditional suspension of Widtfeldt is particularly vexing, since it involves character assassination by dark hints of "instability" rather than being clear, and appealable.

RELEVANT STATUTORY PROVISIONS:

The relevant statutory provisions are reproduced in the Appendix at N in a ***previous petition for certiorari filed at Case 06-431 but denied*** in the US Supreme Court, prior to the latest series of HUD, NAF, and NEOC litigation..

STATEMENT

Petitioner Widtfeldt made another effort to persuade the Nebraska Supreme Court to reconsider constitutional duties in a motion filed October 10, 2007, over ruled October 16, 2007, by calling to the Nebraska Supreme Court's attention matters not appealed previously in US Supreme Court Case 06-431, which this court chose not to submit for decision (Certiorari not granted).

Petitioner Widtfeldt continues to suffer from Nebraska's efforts to:

a) Nebraska fights federal law on the low level radioactive waste program, and other nuclear programs, by trying to appoint as judges and other state officials a continuing series of anti-

nuclear radicals with the clear goal of defaulting Nebraska on not only radioactive waste storage, but also several nuclear power plants and the nuclear armed Strategic Air Command located at Omaha, Nebraska, threatening not only Nebraska with large judgments for defying the federal government, but the nation with a weakened defense;

b) Nebraska fights federal law by imposing abusive and extensive restrictions and investigations of Widtfeldt's rentals to racial minorities, with the intent of Nebraska to be racially biased through indirectly fomenting torturous shakedowns of residential property rented to Hispanics and other racial minorities,

requiring large expenditures of time and money which actually tends to prevent renting to racial minorities due to the increased costs;

c) Nebraska fights federal law (5th amendment takings clause) by blocking appeal of excessive valuations of real estate, which over valuation is so excessive as to amount to unlawful taking of the real estate, which tends to and does eliminate renting to some of the poorest renters.

Petitioner suffers inordinately from the unlawful actions of Nebraska through having supported the previous effort to site low level radioactive waste storage in Nebraska, through renting to racial minorities residential properties owned by Widtfeldt, and by being compelled to

pay ultra high real estate taxes on properties purchased for substantially less than the state of Nebraska has the real estate valued.

Petitioner has a Ph.D. and a J.D. degree, has much to offer the State of Nebraska as to extricating itself from a great and unreasonable fear of low level radioactive waste, how to extricate Nebraska from a fear of private property, and how to extricate Nebraska from a fear of racial pluralism in Nebraska, or alternatively, an inability by Nebraska to address, communicate, and resolve this issue with the people of Nebraska, notwithstanding US Congressional requirements to do so..

The State of Nebraska Lawyer Disciplinary

Procedures are misused by Nebraska, to influence the outcome of cases rather than resort to law, facts and evidence, to eliminate James Widtfeldt as a lawyer rather than deal with of nuclear power, racial minorities, and private property, or the political implications of those issues on the public. The purpose of the Nebraska government is not to ignore issues until the issues grow bigger.

James Widtfeldt did extensive work in several estates, all involving contracts for extensive services agreed to by the Personal Representatives and fully disclosed at the formal opening.

Thereafter Judge Alan Brodbeck, re-opened all the contracts after the work was done, and in

one case allowed no fees whatever for Petitioner, and in the other case gave less than out of pocket costs, simultaneously Judge Brodbeck filed grievances for the purpose of concealing a long pattern of decisions against James Widtfeldt and his clients. Grievances in Nebraska Courts are long known to be a signal for a lawyer to stop all activity in a case, and let others take over, which James Widtfeldt had already done. However, Judge Brodbeck used the grievance procedure excessively, crossing the line to conceal his own wrongdoing in making faulty decisions.

In the two estates, the persons involved were fully informed at the public formal opening hearings of the anticipated costs and course of

action, but were allowed out of paying fees in each case after conveniently "forgetting" the formal opening hearings or not attending the hearings, followed by great encouragement by Judge Brodbeck to not pay Widtfeldt. The idea of wholesale breaches of private contracts has caught on in Nebraska government, as government progressively seeks to take over more and more aspects of private property.

The Nebraska Judges and Tax Equalization and Review Commission seek to block every avenue of appeal of too high real estate valuations, to try to have government live beyond its means.

The Tax Equalization and Review Commission, Commissioner Wickersham, has

stated that expensive government regulation has nothing to do with private property valuation, only the gross income (before expenses of regulation), and sale prices determined by what others have paid elsewhere for what the government thinks are similar properties, apply.

Contracted purchase prices for real estate are ignored, and inflated by factors often exceeding 50 percent, and one multiplied by about 400 times, the actual purchase price. One of the larger purchases valued for years in excess of five times the actual purchase price.

Small towns in agricultural Nebraska are being heavily punished with large population outflows, caused by the damage done to rural

areas by clear over-valuations of real estate, ignoring negative effects of government regulation, all resulting substantially from the Nebraska Supreme Court blocking access to valuation appeals, confiscating fees contrary to Nebraska RRS 77-5015, and other wrongful conduct. ***See US Supreme Court Appeal recently filed in case Number 07-877, Widtfeldt vs Holt County Board of Equalization.***

In a grievance by the lawyer Forrest Peetz, who is often credited by Judge Brodbeck with enabling Brodbeck to be nominated as a judge, Widtfeldt pleadings were criticized. The reason is that Judge Brodbeck had developed a habit of erasing or not keeping records of court filings or

statements made orally which might have favored Widtfeldt, and James Widtfeldt began to insert additional evidence into pleadings, which then could be used to remind Judge Brodbeck of what had actually been said, to combat the bad habit of Judge Brodbeck to nearly always award cases to opposing counsel in many if not all contested cases before Judge Brodbeck, often without giving necessary weight to the law, facts or evidence.

HOUSING AND URBAN DEVELOPMENT (HUD), NEBRASKA AGRICULTURAL FARMWORKERS (NAF) AND NEBRASKA EQUAL OPPORTUNITY COMMISSION (NEOC) ATTACK INDIRECTLY RACIAL PLURALITY IN

NEBRASKA:

Widtfeldt has had so much success renting to racial minorities, that in or about September 18, 2007 Nebraska's various agencies visited Widtfeldt, with no advance notice, with filing the following multiplicity of litigation, because, in the words of the Housing and Urban Development (HUD) and Nebraska Equal Opportunity Commission (NEOC), and Nebraska Agricultural Farm worker (NAF) officials, paraphrased, "***discrimination by others AGAINST HISPANICS might have enabled Widtfeldt to exploit the racial minorities, justifying an investigation***." In other words, HUD, NAF, and NEOC acknowledge without known acting or investigating that most

private landlords refuse to rent to racial minorities at all, but instead of punishing those refusing to rent to racial minorities, HUD, NAF, and NEOC impose vast financial burdens on Widtfeldt for fear he might be actually making a profit renting to racial minorities, which offended the agents of HUD, NAF, and NEOC, or more probably Widtfeldt is being targeted for harassment to eliminate housing for racial minorities, by HUD< NAF, and NEOC requiring vast improvements in housing contrary to the energetically privately negotiated wishes or needs of the renters.

Note that substantially all the renters repudiated the HUD, NAF, and NEOC intrusion and interference with contracts with Widtfeldt,

between what amounts to one large extended family of Hispanics, with Widtfeldt, which was intensively negotiated by Hispanics who know how to negotiate.

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0866-8-(2)

(no purported person represented)

Multicultural NAF vs. James Widtfeldt, Inc., HUD Case No 07-07-0888-8 (15) (Francisca Pruneda purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0890-8 (8) (Valdemar Gamboa purported to be represented by HUD or NAF or

both, he repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0894-8 (16) (Santa Gamboa purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation NOTE: ACTUAL NAME IS SANTOS GAMBOA, SUGGESTING THAT ORIGINATION OF COMPLAINT IS FICTIONAL)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0895-8 (13) (Estella Rodriguez, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD

Case No 07-07-0896-8 (12) (Ricardo Garza purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0897-8 (4) (Gerardo Pena purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0898-8 (10) (Jesus Garza purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0899-8 (7) (Martiza Garza, purported to be represented by NAF or HUD or

both, she repudiates any NAF or HUD representation: NOTE NAME OF MARTIZA GARZA MIS-SPELLED, SUGGESTING THAT ORIGINATION OF COMPLAINT WAS FICTIONAL)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0900-8 (5) (Gloria Gonzales, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation -- Martiza may not have actually signed a repudiation, but Florentino Garza talked to her and many others and determined that she had no complaint or unsatisfactory repairs, hence Florentino Garza's disavowal stands for Martiza - as spelled by HUD- actually Maritza)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No. 07-07-0901-8 (9) (Gudelia Gonzales, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0902-8 (6) (Florentino Garza, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0903-8 (3) (Francisca Cantu, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0904-8 (11) (Elena Garza, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation-- note that Elena's husband was very sick and not available at the time of the repudiations although their property was and remains in petitioner's rental, and her son Ricardo Garza's repudiation of the accusations against Widtfeldt stands also for Elena and her husband, Rudolfo)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0905-8 (14) (Ludivina Castillo Perez, purported to be represented by NAF or HUD or both, was not available at the time of the

repudiations, but her property remained in Widtfeldt rentals, she repudiates any NAF or HUD representation through her relatives)

Multicultural NAF vs James Widtfeldt, Inc., HUD Case No 07-07-0905-8 (14) (Alejandra Martinez, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2249-H (Valdemar Gamboa, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2250-H (Santa

Gamboa, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation, NOTE: NAME OF RENTER MIS-SPELLED SUGGESTING ORIGINATION OF COMPLAINT IS FICTITIOUS, ACTUAL NAME IS SANTOS GAMBOA)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2251-H (Ricardo Garza, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2252-H (Francisca Pruneda, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD

representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2253-H (Jesus Garza, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2255-H (Elena Garza, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation, Elena's husband was sick and Elena's repudiation was through her son, Ricardo who was present at the time of the repudiations and was taking care of Elena's property at the time of the repudiations)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2254-H (Florentino Garza, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2256-H (Ludivina Castillo-Perez, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2257-H (Francisca Cantu, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2258-H (Gudelia Gonzales, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2259-H (Gloria Gonzales, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) NEB 2-07/08-9-2260-H (Martiza Garza, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation, Martiza may not have actually

signed a repudiation, but Florentino Garza talked to her and many others and determined that she had no complaint or unsatisfactory repairs, hence Florentino Garza's disavowal stands for Martiza - as spelled by HUD- actually Maritza – NOTE: ACTUAL NAME IS MARITZA GARZA, SUGGESTING COMPLAINT WAS FICTITIOUS)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) Neb 2-07/08-9-2261-H (Gerardo Pena, purported to be represented by NAF or HUD or both, he repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) Neb 2-07/08-9-2262-H (Estella Rodriguez, purported to be represented by NAF

or HUD or both, she repudiates any NAF or HUD representation)

NEOC vs. James Widtfeldt, Inc. and James Widtfeldt (SP) Neb 2-07/8-10-2248-H (Alejandra Martinez, purported to be represented by NAF or HUD or both, she repudiates any NAF or HUD representation)

Petitioner requests that each order and judgment, as itemized in United States Supreme court 06-431 Petition for Certiorari, be reversed, and that this Court establish its licensing as primary and exclusive over state licensing of lawyers who are dealing with federal issues, and exercise its authority to regulate licensing of lawyers and judges, where the following issues

apply as they do in this case:

NEBRASKA GOVERNMENT DEFINES CONTRACTS DIFFERENT THAN REST OF NATION: State of Nebraska has breached its contract with the low level radioactive waste commission (appellant rented office space to US Ecology, a development agency for the radioactive waste siting) ***Entergy Arkansas, Inc. vs Nebraska,*** 226 F. Supp2d 1047 (Sep 30, 2002). The contract, authorized by the US Congress, resulting in a $140 plus million judgment against Nebraska for reason of Nebraska's failure to perform. Governor Ben Nelson, who presided over and instigated the default, selected and appointed all the 7 Nebraska Supreme Court Judges. This should tell the court

that business in Nebraska will be held hostage by unfair breaches of contract and misinterpretations of contracts by the Nebraska Supreme Court, for many years into the future, absent action by this court.

Federal review of the credentials of Nebraska state lawyers could save the public in Nebraska from additional contract defaults similar to that in ***Entergy***, supra.

The same failure to understand contract law enables the Nebraska Supreme court to uphold "disciplinary actions" designed entirely to relieve Widtfeldt of receiving lawyer fees and block appeals of strange and unusual decisions by local Judge Brodbeck.

NEBRASKA DOES NOT WANT TO HEAR ABOUT RACIAL DISCRIMINATION AS SHOWN BY NUMEROUS NAF, HUD AND NEOC ACTIONS: As shown by the cases cited above, Nebraska appears to be using the framework of NAF, NEOC, and HUD to bring legal action primarily if not only against persons renting to racial minorities to block any recouping of investments made to private rental properties, and then imposes great expenses and burdens against those who do rent to racial minorities. None of Widtfeldt renters had ever complained about the accommodations, except for the usual intense and skilled negotiations prior to renting, or after any changed circumstances, which those

familiar with Latin customs will appreciate, however HUD, NAF, and NEOC decided on their own to try to expand the benefits available to the renters -- meaning that the cost of operation and the cost passed on to all renters had to go up. Nebraska is thumbing its nose at ***42 USC §1983*** and other related civil rights statutes, which greatly decreases the value of private property as "landowners" struggle continuously with costly and burdensome regulation, unfriendly city workers, and a legal bureaucracy which regards all contracts as minor inconveniences to be broken, particularly if the contract benefits James Widtfeldt.

The result of anti contract and anti

landowner bias in Nebraska, of Widtfeldt as well as others, is a mass exodus from the farm and other agricultural business.

SOURCES:

Appendix A: Copy of the Court order of October 16, 2007.

Appendix B: Generic copy of the 27 complaints against Widtfeldt filed beginning about September 18, 2007.

Appendix C is a copy of a newspaper article announcing new government housing in O'Neill approximately one week before the 27 complaints of NEOC, HUD, and NAF.

Appendix D: Copy of an affidavit of a

Court reporter showing that the necessary records in Estate of Marr had "no tape recording made", even though Judge Brodbeck appointed the sick PR Ralph Owen Kissinger who needed medical care to function.

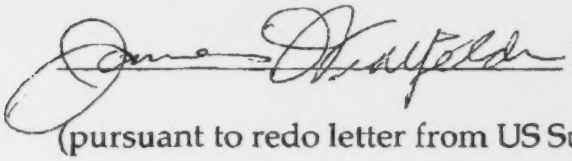
All the exhibits, arguments and material in previous Petition for Certiorari at United States Supreme Court Case Number 06-431 (petition not granted) is incorporated by reference in this Petition for Certiorari.

CONCLUSION

For the foregoing reasons, the petition for a writ of certiorari should be granted, reinstatement of Widtfeldt as a lawyer at least for federal issues

Page 37 of Petition for Certiorari and Statement be granted, and appellant granted reasonable compensation for wrongful prosecution by Nebraska.

Respectfully submitted:

 March 12, 2008

(pursuant to redo letter from US Supreme Court dated January 17, 2008 and granting 60 days for modification, signed by Erik Fossum for William K. Suter)

James Widtfeldt

PO Box 877 103 East State Street

Atkinson, Nebraska 68713

Tel: 402/925-2535 Fax 402/925-2564

Email: techtute@yahoo.com

APPENDICES

APPENDIX A

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
PO BOX 98910
2413 STATE CAPITOL BUILDING
LINCOLN, NE 68509
(402) 471-3731
October 16, 2007

James Widtfeldt
103 East State Street
P.O. Box 877
Atkinson, NE 68713

IN CASE OF: S-04-001400, State ex rel Counsel/Discipline v. Widtfeldt

The following internal procedural submission or filing by a party:

Mot Respondent Re Open Judgment submitted or filed 10/10/07.

Has been reviewed by the court and the following order entered:

Overruled.

Respectfully,
CLERK OF THE SUPREME COURT
AND COURT OF APPEALS

NOTICE

(other matter irrelevant to this appeal)

Appendix B page 1-- Generic Copy of 27 cases filed by HUD-NAF-NEOC against Widtfeldt
HOUSING DISCRIMINATION COMPLAINT
CASE NUMBER: (see individual numbers cited in Petition for Cert)
1. Complainants:
Nebraska Equal Opportunity Commission, 301 Centennial Mall, South, State Office Building, 5th Floor, PO Box 94934, Lincoln, Nebraska
(different name, address given for NAF or HUD)
2. Other aggrieved persons (see names cited in Petition for Cert)
3. The following is alleged to have occurred or is about to occur:
Discriminatory terms, conditions, privilegs or services and facilities.
4. The alleged violation occurred because of:
National origin.
5. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):
Inn Keeper Motel, 725 E Douglas Street, O'Neill, NE 68763
6. Respondent(s):
Jame Widtfeldt, Inc., 103 East State Street, PO Box 877, Atkinson, NE 68713
7. The following is a brief and concise statement of the facts regarding the alleged

violation:
Section 30-318 of the Nebraska Fair Housing Act and Section 804(b) of the Fair Housing Act of 1988.
Issue: Discrimination in services and facilities relating to rental.
Basis: National Origin (Hispanic)
Allegation: generic complaint Insufficient or non-existent maintenance and repairs.
The aggrieved party is a Hispanic migrant worker and primarily speaks Spanish.
(follows two paragraphs of generic complaints about anything and everything)
8. The most recent date on which the alleged discrimination occurred:
September 17, 2007, and is continuing.
9. Types of Federal Funds identified:
None.
10. The acts alleged in this complaint, if proven, may constitute a violation of the following:
Section 804b or f of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988, and Section 20-318 of the Nebraska Fair Housing Act.
Please sign and date this form:
I declare under penalty of perjury that I have read this complaint (including any attachments) and

that it is true and correct. Signed by Arnold C. Nesbitt, for Nebraska Equal Opportunity Commission, dated 9/26/07,
(different signature and date for other complaints)
standard notary verification.

(note that there is no mention in the complaint of construction materials on the premises or large amounts of renovations in progress at time of complaint, but later developments revealed construction materials were part of the reason for the complaint!)

Appendix C page 1

September 13, 2007 front page article on

Holt County Independent

Partnership Brings New Home

Construction to City of O'Neill

An outstanding partnership effort between the Central Nebraska Economic Development, Inc. (CNED, INC.), the City of O'Neill, Avera St. Anthony Hospital, Midwest Ethanol, and Excel Development Group will bring eight new homes to O'Neill, as well as the plan for 11 more

homes.

Central Nebraska Economic Development, Inc. , a non profit housing organization, has been awarded $420,200 by the Nebraska Department of Economic Development for Phase I of a two phase project. Phase I will build eight new homes in O'Neill in a new subdivision called Country Clover Estates.

(article continues with materials irrelevant to this appeal)

(News article fails to note fact that government housing usually requires preceding sworn statement that present housing is insufficient, or that Widtfeldt housing which had just been through a major upgrade, was to be sued with some 27 cases repudiated by the renters on whose behalf the cases were filed, all claiming Widtfeldt housing and upgrades never occurred.)

Appendix D page 1

IN THE COUNTY COURT OF HOLT

COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF

ROSE M. MARR, Deceased.

Case No. PR 02-57. AFFIDAVIT

Holt County Cort filed September 23, 2004

File Stamp Midge Clark, clerk of the

County Court.

STATE OF NEBRASKA, COUNTY OF

HOLT) SS.

Nancy Sukup, being duly sworn on oath,

deposes and says that she is the court stenographer for the Eighth Judicial District of the State of Nebraska, that on Septmber 23, 2004 she received from James Widtfeldt a praecipe for additional transcript and bill of exceptions in the above - entitled case; that she has searched the court records and finds that no tape recording was made in connection with the cse for the requested hearing, and therefore, there will be no additional bill of

exceptions from the County Court of Holt County, Nebraska. Dated this 23rd day of September 2004.

(signed by Nancy Sukup)

Nancy Sukup, Court Stenographer.

SUBSCRIBED AND SWORN to before me this 23rd day of September, 204.

Laura Reynoldson, Notary Public

Stamp General Notary, State of Nebraska, Laura M. Reynoldson My Comm. Exp. Febr. 20, 2006

HState ex rel. Counsel for Discipline of Nebraska Supreme Court v. **Widtfeldt** Neb.,2006.

Supreme Court of Nebraska.
STATE of Nebraska ex rel. COUNSEL FOR DISCIPLINE OF the NEBRASKA SUPREME COURT, relator,
v.
James **WIDTFELDT**, respondent.
No. S-04-1400.

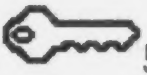
June 23, 2006.

Background: Attorney disciplinary proceeding was commenced.

Holding: The Supreme Court held that attorney's entering into agreements for, charging, or collecting illegal or clearly excessive fees in two separate probate proceedings warranted judgment of suspension for a period of one year.

Judgment of suspension.

West Headnotes

[1] Attorney and Client 45  **57**

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline
45k47 Proceedings
45k57 k. Review. Most Cited Cases

Under existing case law governing attorney disciplinary proceedings, the Nebraska Supreme Court is limited in its review to examining only those items to which the parties have taken exception.

[2] Attorney and Client 45 **57**

45 Attorney and Client
45I The Office of Attorney

45I(C)

Discipline

45k47 Proceedings

45k57 k. Review. Most Cited Cases

When no exceptions to the referee's findings of fact are filed by either party in an attorney disciplinary proceeding, the Nebraska Supreme Court may, in its discretion, consider the referee's findings as final and conclusive.

[3] Attorney and Client 45 59.5(1)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k59.1 Punishment; Disposition

45k59.5 Factors Considered

45k59.5(1) k. In General. Most Cited Cases

To determine whether and to what extent discipline should be imposed in a lawyer discipline proceeding, the Nebraska

Supreme
Court considers the following factors: (1) the nature of the offense, (2) the need for deterring others, (3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the respondent generally, and (6) the respondent's present or future fitness to continue in the practice of law.

[4] Attorney and Client 45 **59.5(1)**

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline
45k59.1 Punishment; Disposition
45k59.5 Factors Considered
45k59.5(1) k. In General.
Most Cited Cases
For purpose of determining appropriate discipline, each attorney discipline case must be evaluated individually in light of its particular facts and circumstances.

[5] Attorney and Client 45 59.5(3)

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline
45k59.1 Punishment; Disposition
45k59.5 Factors Considered
45k59.5(3) k. Comparable Disposition Within Jurisdiction. Most Cited Cases

The propriety of a sanction imposed in an attorney disciplinary matter must be considered with reference to the sanctions imposed in prior similar cases.

[6] Attorney and Client 45 59.5(4)

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline
45k59.1 Punishment; Disposition
45k59.5 Factors Considered

45k59.5(4) k. Factors in Aggravation. Most Cited Cases
Cumulative acts of attorney misconduct are distinguishable from isolated incidents and are therefore deserving of more serious sanctions.

[7] Attorney and Client 45 59.5(4)

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline
45k59.1 Punishment; Disposition
45k59.5 Factors Considered
45k59.5(4) k. Factors in Aggravation. Most Cited Cases

Attorney and Client 45 59.13(4)

45 Attorney and Client
45I The Office of Attorney
45I(C) Discipline

45k59.1 Punishment; Disposition
45k59.13 Suspension
45k59.13(2) Definite Suspension
45k59.13(4) k. Mishandling of Trust Account or Client Funds. Most Cited Cases
Attorney's entering into agreements for, charging, or collecting illegal or clearly excessive fees in two separate probate proceedings warranted judgment of suspension for a period of one year; attorney's cumulative acts of misconduct merited more of a sanction than was afforded by a public reprimand. Code of Prof.Resp., DR 2-106(A).

**68 *Syllabus by the Court*

*851 1. **Appeal and Error.** Under existing case law, the Nebraska Supreme Court is limited in its review to examining only those items to which the parties have taken exception.

2. **Disciplinary Proceedings: Appeal and Error.** When no exceptions to the referee's findings of fact are filed by either party in a disciplinary proceeding, the Nebraska Supreme Court may, in its discretion, consider the referee's findings as final and conclusive.

69 3. **Disciplinary Proceedings. To determine whether and to what extent discipline should be imposed in a lawyer discipline proceeding, the Nebraska Supreme Court considers the following factors: (1) the nature of the offense, (2) the need for deterring others, (3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the respondent generally, and (6) the respondent's present or future fitness to continue in the practice of law.

4. **Disciplinary Proceedings.** Each attorney discipline case must be evaluated individually in light of its particular facts

and circumstances. In addition, the propriety of a sanction must be considered with reference to the sanctions imposed in prior similar cases.

*852 5. **Disciplinary Proceedings.** Neb. Ct. R. of Discipline 4 (rev.2004) provides that misconduct shall be grounds for (1) disbarment; (2) suspension; (3) probation in lieu of or subsequent to suspension, on such terms as the Nebraska Supreme Court may designate; (4) censure and reprimand; (5) temporary suspension; or (6) private reprimand by the Committee on Inquiry or Disciplinary Review Board.

6. **Disciplinary Proceedings.** Cumulative acts of attorney misconduct are distinguishable from isolated incidents and are therefore deserving of more serious sanctions.

John W. Steele, Assistant Counsel for Discipline, for relator.

George H. Moyer, of Moyer, Moyer, Egley, Fullner & Montag, Madison, for respondent.

HENDRY, C.J., WRIGHT, CONNOLLY, GERRARD, STEPHAN, and McCORMACK, JJ.

PER CURIAM.

NATURE OF CASE

This case presents the review of the uncontested findings of the referee in an attorney disciplinary proceeding.

BACKGROUND

James **Widtfeldt** was admitted to the practice of law in Nebraska in 1978 and has a general practice in Holt County, Nebraska. He has previously been privately reprimanded for representing both sides of a tax case. He is currently under an order of indefinite suspension to

be followed by a period of probation for filing irrelevant and abusive motions and pleadings in an unrelated case and for irrelevant and abusive written responses to the Counsel for Discipline reviewing that case. See *State ex rel. Counsel for Dis. v. Widtfeldt*, 269 Neb. 289, 691 N.W.2d 531 (2005).

The formal charges currently before us concern **Widtfeldt's** conduct in two separate probate proceedings (described separately in counts I and II) occurring prior to the current order of suspension. The formal charges alleged that **Widtfeldt** entered into agreement for, charged, or collected clearly excessive fees, in violation of Canon 2, DR 2-106(A), of the Nebraska Code of Professional Responsibility, and that he knowingly failed to disclose information or had knowingly made a false statement of law or fact during the proceedings, in violation of Canon 7, *853 DR 7-102, of the Nebraska Code of

Professional Responsibility. The Counsel for Discipline also charged **Widtfeldt** with violation of Canon 1, DR-102(A), of the Nebraska Code of Professional Responsibility which prohibits the violation of a disciplinary rule, engaging in conduct prejudicial to the administration of justice, or any other conduct that adversely reflects on the lawyer's fitness to practice law. After the appointment**70 of the referee, a hearing was held at which **Widtfeldt** was present with counsel.

COUNT I: MARR ESTATE

Count I involved the probate proceedings of the estate of Rose M. Marr. The evidence at the hearing showed that **Widtfeldt** entered into an agreement with the personal representatives of the estate to represent them and to receive attorney fees in the amount of 8 percent of the nonprobate and probate property. **Widtfeldt** later filed an inheritance tax

worksheet with the county court, reflecting a gross estate value of $578,943.51 and an attorney fee of $46,434.22. The personal representatives paid **Widtfeldt** this amount from the estate assets, but the county court ultimately ordered the fees to be repaid to the estate. **Widtfeldt** complied with this order.

Widtfeldt testified at that hearing that in the past, his standard fee for estate cases was 2 percent of the gross estate, plus extra sums for extraordinary work. He attempted to explain the 8-percent figure as compensation for conservatorship work at 1 percent per year for 7 years, plus 1 percent for the estate work.

Widtfeldt admitted that a conservatorship was never actually filed and that the "conservatorship work" was done after Marr's death. This work involved doublechecking all the canceled checks issued by Marr's attorneys in fact

pursuant to
Marr's powers of attorney. **Widtfeldt** described his work as compiling "an account like a conservator." **Widtfeldt** testified that he did this pursuant to Marr's predeath wish that **Widtfeldt** conduct such a review informally, without court oversight, and that **Widtfeldt** wait to be paid out of the estate for such services. **Widtfeldt** did not have a formal written agreement with Marr to that effect. **Widtfeldt** was paid during Marr's lifetime for services such as the drafting of her will, and for a cancellation fee for not completing the guardianship-conservatorship which he had drafted for Marr.

***854** The allegation of misrepresentation in the Marr estate stemmed from the fact that the personal representatives were also each initially afforded, through **Widtfeldt**, 8 percent of the estate under a similar theory of compensation for their past services to Marr. However, when the

petition for their appointment was filed, **Widtfeldt** stated therein that they were not creditors of the estate. **Widtfeldt** explained that neither of the personal representatives had a formal compensation arrangement with Marr and that they had told him they were not creditors of the estate. Instead, the compensation was as per Marr's expressed wishes to **Widtfeldt** that they in fact later be generously compensated.

The referee found, by clear and convincing evidence, that **Widtfeldt** violated DR 2-106(A) by entering into an agreement for, charging, or collecting an illegal or clearly excessive fee. However, the referee concluded that he could not find by clear and convincing evidence that **Widtfeldt** had intentionally misled the county court in filing the personal representative applications as he did. The referee explained that the personal representatives' prior services were admittedly done partially out of friendship

with Marr
and that no terms of payment had been formally agreed upon. Thus, the referee did not find a "creditor" relationship.

COUNT II: KOLLMAN ESTATE

Count II involved the estate of Walter Kollman and **Widtfeldt's** representation of its personal representatives. **Widtfeldt** entered into an agreement with the personal representatives for attorney fees in the amount of 5 percent of the estate, with a like percentage designated for the services**71 of each personal representative. An inheritance tax worksheet was eventually presented to and signed by the personal representatives, setting forth a gross estate of $1,419,994.70, attorney fees of $100,999.74 (which was roughly 7 percent of the assets), and personal representatives' fees in the amount of $201,999.47. This sheet was presented to the county attorney, who informed **Widtfeldt** that he would not

approve the worksheet and that **Widtfeldt** would have to obtain court approval for any such fees.

The worksheet was never filed with the court. **Widtfeldt** claimed that the reason he never filed this first worksheet was ***855** because it contained errors. He explained that there were mathematical errors, on which he did not elaborate. In addition, **Widtfeldt** testified that "tempers were fairly high." A litigator had been hired through him for the estate to handle litigation with certain heirs, and **Widtfeldt** explained that he thought that he was going to have to pay the litigator's expenses out of his own fees because the fees were being informally contested by one of the personal representatives.

Subsequently, **Widtfeldt** drafted or filed several different and conflicting motions for approval of his fees, ranging from 2 to 5 percent of the estate. Ultimately, the county court, noting that normal fees for estate

actions in that area were 1 percent, awarded a 2-percent fee to **Widtfeldt** and ordered that any excess fees be refunded. **Widtfeldt**, pursuant to such order, refunded $28,398 of previously paid fees. The aforementioned litigator testified at the disciplinary hearing that a reasonable rate was between 2 to 3 percent.

The misrepresentation allegations of count II related to alleged false statements to the county court in **Widtfeldt's** pleadings regarding the scheduling of hearings. The Counsel for Discipline however, eventually conceded that **Widtfeldt's** testimony established that the misrepresentations were unintentional and were a result of administrative error.

The referee found with regard to the false pleadings allegation that the evidence failed to establish any violation. However, the referee found that **Widtfeldt** had violated DR 2-106(A) by charging, albeit

without successfully collecting, an excessive fee.

REFEREE RECOMMENDATIONS

The referee recommended that **Widtfeldt** be publicly reprimanded and that his current indefinite suspension remain in full force and effect without modification. In so recommending, the referee noted that **Widtfeldt** failed to produce evidence that the events in question were isolated occurrences. The referee did take into consideration **Widtfeldt's** behavior at the hearing, which the referee described as "contrite and cooperative." At the same time, however, the referee noted that **Widtfeldt** did not actually admit to any wrongdoing. The referee also took into account **Widtfeldt's** previous reprimand and his current suspension.

*856 No exceptions were filed to the referee's findings by either party to the

proceeding.
We sustained the Counsel for Discipline's motion for judgment on the pleadings as to the violations, but not as to the proposed discipline.

ASSIGNMENTS OF ERROR

In **Widtfeldt's** brief, he assigns that the referee erred (1) by finding that he contracted for, charged, or collected a clearly excessive fee in the Kollman estate and (2) in determining that **Widtfeldt's** conduct in the Kollman estate was cumulative of his conduct in the Marr estate.

**72 ANALYSIS

Widtfeldt's brief focuses on count II and his allegation that he never really intended to collect the 7-percent fee found by the referee to be excessive. The Counsel for Discipline does not assert that any of the subsequent filings of either 2 or 5 percent

were clearly excessive given the protracted litigation of the case, and the referee's findings appear to focus on the 7-percent figure.

Widtfeldt accordingly takes issue with the referee's recommendation that he be publicly reprimanded for his conduct related to the Kollman estate. **Widtfeldt** does not take issue with the referee's recommendation that his current status of indefinite suspension should continue or with the public reprimand in relation to the Marr estate.

[1][2] Under existing case law, the Nebraska Supreme Court is limited in its review to examining only those items to which the parties have taken exception. *State ex. rel. Counsel for Dis. v. Petersen*, 271 Neb. 262, 710 N.W.2d 646 (2006). When no exceptions to the referee's findings of fact are filed by either party in a disciplinary proceeding, the Nebraska Supreme Court may, in its discretion, consider the referee's

findings as final and conclusive. See, *id.*; Neb. Ct. R. of Discipline 10(L) (rev.2005). In sustaining the Counsel for Discipline's motion for judgment on the pleadings, we have already concluded that **Widtfeldt's** conduct was in violation of DR 2-106(A) on two separate occasions. We consider **Widtfeldt's** arguments in his brief to this court to the extent that they are relevant to the appropriate sanction to be imposed from that conduct. We note that the conduct at issue in this case occurred prior to the September 1, 2005, effective date of the ***857** Nebraska Rules of Professional Conduct and is, thus, governed by the now-superseded Code of Professional Responsibility.

[3][4][5] To determine whether and to what extent discipline should be imposed in a lawyer discipline proceeding, the Nebraska Supreme Court considers the following factors: (1) the nature of the offense, (2) the need for deterring others,

(3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the respondent generally, and (6) the respondent's present or future fitness to continue in the practice of law. *State ex rel. Counsel for Dis. v. Horneber*, 270 Neb. 951, 708 N.W.2d 620 (2006). Each attorney discipline case must be evaluated individually in light of its particular facts and circumstances. In addition, the propriety of a sanction must be considered with reference to the sanctions imposed in prior similar cases. *State ex rel. Counsel for Dis. v. **Widtfeldt***, 269 Neb. 289, 691 N.W.2d 531 (2005).

The referee, in recommending a public reprimand, considered the case of *State ex rel. Counsel for Dis. v. Palagi*, 269 Neb. 398, 693 N.W.2d 276 (2005), wherein we publicly reprimanded an attorney for having charged an excessive fee in a wrongful death matter. The attorney was also found to have improperly advanced

financial assistance to a client and failed to return the property of clients. Other cases considering the issue of excessive fees are limited, and the circumstances in those cases also presented additional violations of the Code of Professional Responsibility. See, *State ex rel. Special Counsel for Dis. v. Shapiro*, 266 Neb. 328, 665 N.W.2d 615 (2003); *State ex rel. Counsel for Dis. v. Huston*, 262 Neb. 481, 631 N.W.2d 913 (2001); *State ex rel. **NSBA** v. Miller*, 258 Neb. 181, 602 N.W.2d 486 (1999); *State ex rel. **NSBA** v. Kirshen*, 232 Neb. 445, 441 N.W.2d 161 (1989).

****73Widtfeldt's** current order of suspension is subject to reinstatement followed by a period of suspension of not less than 1 year. In order to be reinstated under this order, we explained that he will need to establish that counseling has resulted in behavioral changes that will allow him to practice law within the disciplinary rules. At the disciplinary

hearing considered in *State ex rel. Counsel for Dis. v. Widtfeldt, supra,* a psychologist concluded that although intelligent, **Widtfeldt** had narcissistic and obsessive-compulsive personality features which interfered ***858** with his ability to reason through certain issues. However, the psychologist opined that **Widtfeldt** could complete a plan to modify his behavior so that there was a much greater chance that problems would not reoccur.

Neb. Ct. R. of Discipline 4 (rev.2004) provides that misconduct shall be grounds for (1) disbarment; (2) suspension; (3) probation in lieu of or subsequent to suspension, on such terms as we may designate; (4) censure and reprimand; (5) temporary suspension; or (6) private reprimand by the Committee on Inquiry or Disciplinary Review Board.

[6][7] In considering the appropriate discipline in this case, we are mindful of

the fact that
this is not the first instance of misconduct by **Widtfeldt**. Cumulative acts of attorney misconduct are distinguishable from isolated incidents and are therefore deserving of more serious sanctions. *State ex rel. Counsel for Dis. v. Swanson*, 267 Neb. 540, 675 N.W.2d 674 (2004). Although **Widtfeldt** is currently suspended, we find that his cumulative acts of misconduct merit more of a sanction than is afforded by a public reprimand. We conclude that the appropriate discipline in this case for the two counts of violating DR 2-106(A) is a judgment of suspension for a period of 1 year.

CONCLUSION

We order that **Widtfeldt** should be and hereby is suspended from the practice of law in the State of Nebraska for a period of 1 year, effective immediately. **Widtfeldt** is directed to pay costs and expenses in accordance with Neb.Rev.Stat. §§ 7-114 and

(Reissue 1997) and Neb. Ct. R. of Discipline 23(B) (rev.2001).

JUDGMENT OF SUSPENSION.

MILLER-LERMAN, J., not participating.
Neb.,2006.
State ex rel. Counsel for Discipline of Nebraska Supreme Court v. Widtfeldt
271 Neb. 851, 716 N.W.2d 68

END OF DOCUMENT

Supreme Court of Nebraska.

STATE of Nebraska EX REL.

COUNSEL FOR DISCIPLINE OF

THE NEBRASKA SUPREME

COURT, relator,

v.

James **WIDTFELDT**, respondent.

No. S-03-1312.

Feb. 4, 2005.

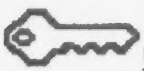
Background: Attorney

disciplinary proceeding was commenced.

Holding: The Supreme Court held that attorney's repeatedly filing irrelevant and abusive motions and pleadings and written responses to Counsel for Discipline that included irrelevant and abusive material warranted period of indefinite suspension followed by a period of probation of not less than one year.

Judgment of suspension and probation.

West Headnotes

[1] Attorney and Client 45  **57**

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k47 Proceedings

45k57 k. Review. Most

Cited Page 4 269 Neb 89Cases

A proceeding to discipline an attorney is a trial de novo on the record, in which the Nebraska Supreme Court reaches a conclusion independent of the findings of the referee.

[2] Attorney and Client 45 **57**

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k47 Proceedings

45k57 k. Review. Most Cited Cases

When no exceptions to the referee's findings of fact are filed by either party in a disciplinary proceeding, the Nebraska Supreme Court may, at its discretion, adopt the findings of the referee as final and conclusive.

[3] Attorney and Client 45

53(2)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k47 Proceedings

45k53 Evidence

45k53(2) k. Weight and Sufficiency. Most Cited Cases

To sustain a charge in a disciplinary proceeding against an attorney, the charge must be established by clear and convincing evidence.

[4] Page 7 269 Neb 89 **Attorney and Client 45** **49**

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k47 Proceedings

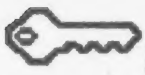
45k49 k. Nature and Form in General. Most Cited Cases

(Formerly 45k58)

The basic issues in a disciplinary proceeding against a lawyer are whether discipline should be

 imposed and, if so, the type of discipline appropriate under the circumstances.

[5] Attorney and Client 45


59.5(1)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k59.1 Punishment; Disposition

45k59.5 Factors

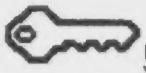
Page 9 269 Neb 89Considered

45k59.5(1) k. In General. Most Cited Cases

(Formerly 45k58)

To determine whether and to what extent discipline should be imposed in a lawyer discipline proceeding, the Nebraska Supreme Court considers the following factors: (1) the nature of the offense, (2) the need for deterring others, (3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the offender generally, and

(6) the offender's present or future fitness to continue in the practice of law.

[6] Attorney and Client 45  **57**

45 Attorney and Client

45I The Office of Attorney

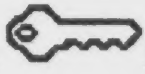
45I(C) Discipline

45k47 Proceedings

45k57 k. Review. Most Cited Cases

Each attorney discipline case must be

evaluated individually in the light of its particular facts and circumstances.

[7] Attorney and Client 45  **57**

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

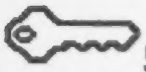
45k47 Proceedings

45k57 k. Review. Most Cited Cases

The propriety of a sanction in an

attorney disciplinary proceeding must be considered with reference to the sanctions imposed in prior similar cases.

[8] Attorney and Client 45



59.5(1)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k59.1 Punishment;

Disposition

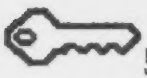
45k59.5 Factors Considered

45k59.5(1) k. In General. Most Cited Cases

(Formerly 45k59.5(6), 45k58)

To determine the proper discipline of an attorney, the Nebraska Supreme Court considers the attorney's acts both underlying the events of the case and throughout the disciplinary proceeding.

[9] Attorney and Client 45


59.13(7)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k59.1 Punishment; Disposition

45k59.13 Suspension

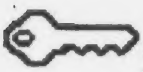
45k59.13(6) Indefinite Suspension

Page 15 269 Neb 89

45k59.13(7) k. In General. Most Cited Cases

(Formerly 45k58)

Attorney and Client 45



59.17(1)

45 Attorney and Client

45I The Office of Attorney

45I(C) Discipline

45k59.1 Punishment; Disposition

45k59.17 Probation; Conditional Disposition; Stay

45k59.17(1) k. In General. Most Cited Cases

(Formerly 45k58)

Attorney's repeated filing of irrelevant and abusive motions and pleadings and written responses to Counsel for Discipline that included irrelevant and abusive material warranted period of indefinite suspension followed by a period of

probation of not less than one year, with attorney's reinstatement conditioned upon his establishing that counseling resulted in behavioral changes that would allow him to practice law within the disciplinary rules and that he had continued counseling with a qualified therapist, unless he was released from treatment. Code of Prof.Resp., DR 1-102.

*289 1. **Disciplinary Proceedings: Appeal and Error.** A proceeding to discipline an attorney is a trial de novo on the record, in which the Nebraska Supreme Court reaches a conclusion independent of the findings of the referee.

2. **Disciplinary Proceedings: Appeal and Error.** When no

exceptions to the referee's findings of fact are filed by either party in a disciplinary proceeding, the Nebraska Supreme Court may, at its discretion, adopt the findings of the referee as final and conclusive.

3. **Disciplinary Proceedings: Proof.** To sustain a charge in a disciplinary proceeding against an attorney, the charge must be established by clear and convincing

evidence.

4. **Disciplinary Proceedings.** The basic issues in a disciplinary proceeding against a lawyer are whether discipline should be imposed and, if so, the type of discipline appropriate under the circumstances.

5. **Disciplinary Proceedings.** To determine whether and to what

extent discipline should be imposed in a lawyer discipline proceeding, the Nebraska Supreme Court considers the following factors: (1) the nature of the offense, (2) the need for deterring others, (3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the offender generally, and (6) the offender's present or future fitness to continue in the practice of law.

533 6. **Disciplinary Proceedings. Each attorney discipline case must be evaluated individually in light of its particular facts and circumstances. In addition, the propriety of a sanction must be considered with reference to the sanctions imposed in prior similar cases.

7. **Disciplinary Proceedings.** To determine the proper discipline of an

attorney, the Nebraska Supreme Court considers the attorney's acts both underlying the events of the case and throughout the disciplinary proceeding.

John W. Steele, Assistant Counsel for Discipline, for relator.

George H. Moyer, of Moyer, Moyer, Egley, Fullner & Warnemunde, Madison, for respondent.

HENDRY, C.J., WRIGHT, CONNOLLY, GERRARD, McCORMACK, and MILLER-LERMAN, JJ.

PER CURIAM.

The Counsel for Discipline of the Nebraska Supreme Court filed formal charges against James **Widtfeldt** alleging ethical violations. A referee was appointed who heard evidence and made

recommendations. We order an indefinite period of suspension followed by a period of probation.

*290 BACKGROUND

Widtfeldt was admitted to the practice of law in Nebraska in 1978 and entered practice in Holt County. He has a general practice and spends half of each day managing personal business affairs and the remainder

practicing law. He has previously received a private reprimand for representing both sides of a controversy in a tax case that is unrelated to the current action.

This complaint arose after **Widtfeldt** filed improper motions and pleadings in several cases, stemming from difficulties he had with Attorney Forrest Peetz and the city of O'Neill. At the hearing before

the referee, **Widtfeldt** admitted that he does not get along with Peetz and that his animosity toward Peetz had crept into his pleadings at times. The animosity stems from Peetz' 1979 purchase of a home from a judge (now deceased) and **Widtfeldt's** strong feelings against financial transactions between judges and attorneys. **Widtfeldt** stated that he remains troubled that the transaction occurred and that when he sees a

judicial decision that he believes is incorrect, he worries there may be other transactions he is unaware of which may be influencing the decisions between attorneys and judges.

Widtfeldt also admitted that he experienced "significant friction" with the city of O'Neill over rental property and admitted that pleadings and motions in that case could

appear to be based on personal animosity. However, he believes that his relationship with the city has improved.

The record contains examples of poorly drafted pleadings and motions that are lengthy and contain numerous, rambling, irrelevant details, making the pleadings difficult to understand. In one instance, **Widtfeldt** filed a motion in

limine that had no relation to the alleged facts of the action. In another instance, a motion for a protective order filed by **Widtfeldt** against the city of O'Neill included three pages of allegations about perceived violations of various inspection laws or ordinances by the city attorney, Peetz, and another attorney.

In response to the complaint filed with the Counsel for Discipline,

Widtfeldt filed lengthy responses containing irrelevant and inflammatory material. For example, ****534Widtfeldt** continued to malign Peetz and a judge about the sale of the house. In another instance, **Widtfeldt's** responses included multiple pages ***291** of inflammatory allegations about Peetz' alleged drinking habits and behavior at bar association meetings. **Widtfeldt** compared Peetz to Adolf Hitler,

stating: "Peetz[']s mustache is not the only resemblance to a certain famous dictator who liked to circumvent the law, extract oaths of allegiance to himself personally, and exterminate defenseless civilians, religious and racial minorities in the 1940s." The responses also contained allegations about irrelevant sexual activity.

Widtfeldt underwent a psychological evaluation for this

action. Mark P. Hannappel, a psychologist, concluded that while **Widtfeldt** has superior intelligence, he is likely to have difficulty understanding nonverbal interactions, is likely to " 'get caught up in the details,' " and sometimes misses the " 'big picture.' " Hannappel noted narcissistic and obsessive-compulsive personality features and concluded that personality issues interfere with

Widtfeldt's ability to reason through certain issues and form working alliances with others. According to Hannappel, **Widtfeldt** can understand the disciplinary actions against him and can complete a plan to modify his behavior so that there is a much greater chance that the problems will not reoccur.

After a hearing, the referee found that the pleadings contained

"irrelevant, immaterial and sometimes scandalous allegations" and that they included "vast quantities of verbiage having nothing whatever to do with the captioned matters." The referee further found that the pleadings were unnecessarily detailed and complex. They took a long time to read and were unnecessarily difficult to interpret, answer, or otherwise respond to. The referee also found, however, that

Widtfeldt did not plead the cases with bad intent, but instead did so in an effort to zealously represent his client and rectify problems he saw in government and the judicial branch; a finding that we disagree with. The referee agreed that counseling would benefit **Widtfeldt**. **Widtfeldt** is willing to take additional coursework or continuing legal education and work with a mentor. He also agrees to undergo further evaluation and

attend followup counseling.

The referee next found that **Widtfeldt's** actions interfered with the administration of justice and adversely affected his fitness to practice law in violation of Canon 1, DR 1-102(A)(1) and (4) through (6), of the Code of Professional Responsibility, which states: ***292** "DR 1-102 Misconduct. (A) A lawyer shall not: (1) Violate a Disciplinary

Rule.... (5) Engage in conduct that is prejudicial to the administration of justice.... (6) Engage in any other conduct that adversely reflects on his or her fitness to practice law." The referee further concluded that **Widtfeldt** violated his oath of office as an attorney licensed to practice law in Nebraska under Neb.Rev.Stat. § 7-104 (Reissue 1997). The referee recommended that **Widtfeldt** (1) receive a public reprimand; (2) attend

appropriate continuing education involving pretrial litigation; (3) consult for 1 year with a mentor, who will review **Widtfeldt's** pleadings and filings and file a report at the end of the year; (3) attend further counseling for 1 year; (4) be on probation for 1 year; and (5) pay costs and fees associated with the disciplinary proceeding. No exceptions have been filed.

ASSIGNMENTS OF ERROR

Neither **Widtfeldt** nor the Counsel for Discipline takes exception to the factual findings of the referee.

**535 STANDARD OF REVIEW

[1] A proceeding to discipline an attorney is a trial de novo on the record, in which the Nebraska Supreme Court reaches a conclusion

independent of the findings of the referee. *State ex rel. Counsel for Dis. v. Janousek*, 267 Neb. 328, 674 N.W.2d 464 (2004).

ANALYSIS

[2] Because neither party has taken exception to the referee's factual findings, the sole issue is the appropriate discipline to be imposed. When no exceptions to the referee's

findings of fact are filed by either party in a disciplinary proceeding, the court may, at its discretion, adopt the findings of the referee as final and conclusive. *Id.*

[3] To sustain a charge in a disciplinary proceeding against an attorney, the charge must be established by clear and convincing evidence. *Id.* Based on our review of the record and the undisputed

findings of the referee, we determine that the facts have been established by clear and convincing evidence. Based on that evidence, we conclude that **Widtfeldt** has violated DR 1-102(A)(1), (5), and (6), as well as the attorney's oath required by § 7-104.

*293[4][5] The basic issues in a disciplinary proceeding against a lawyer are whether discipline should be imposed and, if so, the type of

discipline appropriate under the circumstances. *State ex rel. Counsel for Dis. v. Janousek, supra.* To determine whether and to what extent discipline should be imposed in a lawyer discipline proceeding, we consider the following factors: (1) the nature of the offense, (2) the need for deterring others, (3) the maintenance of the reputation of the bar as a whole, (4) the protection of the public, (5) the attitude of the offender

generally, and (6) the offender's present or future fitness to continue in the practice of law. *Id.*

[6][7][8] Each attorney discipline case must be evaluated individually in the light of its particular facts and circumstances. In addition, the propriety of a sanction must be considered with reference to the sanctions imposed in prior similar cases. *Id.*; *State ex rel. NSBA v. Flores,*

261 Neb. 256, 622 N.W.2d 632 (2001).

To determine the proper discipline of an attorney, this court considers the attorney's acts both underlying the events of the case and throughout the disciplinary proceeding. *State ex rel. Counsel for Dis. v. Thompson*, 264 Neb. 831, 652 N.W.2d 593 (2002).

[9] Here, the record shows that **Widtfeldt** has repeatedly filed irrelevant and abusive motions and

pleadings. In addition-even while under investigation-his written responses to the Counsel for Discipline included irrelevant and abusive material. **Widtfeldt** admits that his actions were improper and violated provisions of DR 1-102. He is, however, willing to seek further counseling and education and work with a mentor. And we note that despite his bizarre responses to the Counsel for Discipline, **Widtfeldt**

later sought psychological counseling and was cooperative in the disciplinary process. But we cannot ignore that Hannappel found that personality issues interfere with **Widtfeldt's** ability to reason through certain issues and form working alliances with others. It is clear that **Widtfeldt** requires further treatment. Thus, our main concern is fashioning a sanction that serves to protect the public. See *State ex rel. Counsel for Dis.*

v. Thompson, supra.

We have said that in cases involving depression as a mitigating factor, a period of mandatory suspension coupled with terms of reinstatement will often be appropriate. *Id.* The suspension is not designed**536 as punishment. Instead, it is meant as a time period in which the respondent can seek treatment without imposing a *294

danger to his or her clients. Once the respondent can demonstrate that treatment has resulted in a meaningful and sustained recovery, he should then be placed on a period of probation with treatment and practice monitoring components. See *id.*

Although **Widtfeldt** was not diagnosed with depression, he was found to be in need of psychological

treatment. To ensure that **Widtfeldt** is properly treated before he returns to the practice of law, we disagree with the referee's recommendation of ordering solely probation and instead order a period of indefinite suspension followed by a period of probation of not less than 1 year. **Widtfeldt** may apply for reinstatement subject to the terms of probation. Upon application for reinstatement, **Widtfeldt** will have

the burden of proving that he is fit to practice law under the terms of his probation. He will need to establish that counseling has resulted in behavioral changes that will allow him to practice law within the disciplinary rules. Such proof shall include a showing that he has continued counseling with a qualified therapist unless he is released from treatment.

Following readmission, **Widtfeldt** shall be subject to probation for not less than 1 year, which will include a monitor to review his pleadings. The Counsel for Discipline shall serve as the monitor. However, a practicing attorney may be substituted if **Widtfeldt** and the Counsel for Discipline can agree upon a practicing attorney who is willing to serve. See *State ex rel. Counsel for Dis. v. Thompson, supra.* If a practicing

attorney does serve as the monitor, he or she shall not be compensated for his or her duties, but shall be reimbursed by **Widtfeldt** for actual expenses incurred. *Id.* At the end of the 1-year probationary period, it will be **Widtfeldt's** burden to show cause why the period of probation should not be extended for an additional year before he is released from probation.

CONCLUSION

We order that effective immediately, **Widtfeldt** be indefinitely suspended from the practice of law. He may apply for reinstatement consistent with the terms outlined above. Following reinstatement, he shall be subject to a term of probation for not less than 1 year, consistent with the terms outlined above. **Widtfeldt** shall

comply with Neb. Ct. R. of Discipline 16 (rev.2004), and *295 upon failure to do so, he shall be subject to punishment for contempt of this court. In addition, **Widtfeldt** is directed to pay costs and expenses in accordance with Neb.Rev.Stat. §§ 7-114 and 7-115 (Reissue 1997) and Neb. Ct. R. of Discipline 23(B) (rev.2001).

JUDGMENT OF SUSPENSION

AND PROBATION.

STEPHAN, J., not participating.

Neb.,2005.

State ex rel. Counsel for Discipline of Nebraska Supreme Court v. Widtfeldt

269 Neb. 289, 691 N.W.2d 531

END OF DOCUMENT

FOR
JAMES ALBERT WIDTFELDT

Any charges being made against the owner of the Innkeeper regarding housing or any other charges, are false.

Amanda Garza

October 15, 2007

FOR
JAMES ALBERT WIDTFELDT

Any charges being made against the owner of the Innkeeper regarding housing or any other charges, are false.

Ludemina Castillo

October 15, 2007

APPENDIX

A.

IN THE SUPREME COURT OF NEBRASKA
STATE OF NEBRASKA EX REL
COUNSEL FOR DISCIPLINE FOR THE
NEBRASKA SUPREME COURT,
RELATOR,
VS
JAMES WIDTFELDT,
RESPONDENT.

CASE NO 2-04-1400
JUDGMENT FOR COSTS

These matters are before the Court on its own motion for a determination and certification of costs due from the Respondent pursuant to Neb. Rev. Stat. Sections 7-114 and 7-115 (Reissue 1997) and Neb. Ct. R. of Discipline 10(P) and 23(B) and entry of judgment by this court assessing such costs. This judgment is based on the applicable costs taxed to Respondent in the above referenced legal action as recorded in the records of the Clerk of the Supreme Court. The time for the filing of motions for costs and fees and any objections thereto has expired. This Court, having been duly advised in the premises, hereby certifies costs due to be as follows:

Docket fee Due in Supreme Court (6-23-06)
$50
Legal Service Fee Due (6-23-06)
$5.00
Automation Fee Due (6-23-06)
$6.00
Uniform Data Analysis Fee (6-23-06)
$1.00
Dispute Resolution Fee Due (6-23-06)
$.75
Education fee due (6-23-06)
$1.00
Indigent Defense Fee Due (6-23-06)
$2.75
Referee Fees and Expenses (11-16-05)
$7,646.60
Total:
$7,713.10

IT IS HEREBY ORDERED that Respondent shall pay the sum of $7713.10 as more fully specified above, with judgment interest as allowable by law.

Dated this 24th day of August, 2006.

BY THE COURT:

_____

John W. Hendry, Chief Justice

BEFORE THE COMMITTEE ON INQUIRY
DISTRICT THREE

STATE OF NEBRASKA ex rel.
COUNSEL FOR DISCIPLINE of the
NEBRASKA SUPREME COURT,
Petitioner
Vs
JAMES WIDTFELDT,
Respondent.

PRIVATE REPRIMAND

This matter was initiated by a grievance filed by the Counsel for Discipline based uon his review of the case, Albert Widtfeldt Trust B vs James Widtfldt Trust, docketed at CI -01-78 in the District Court of Holt County,l Nebraska. Thereafter a Complaint was filed by the Assistant Counsel for Disciplilne alleging that the Respondent had engaged in conduct that violated the Code of Professional Responsibility as more fully set forth in the attached Complaint.

An Inquiry Panel of the District

Three Committee on Inquiry has reviewed the records of the Counsel for Discipline including information furnished by the Respondent. After a review of the evidence, it is the determination of the Inquiry Panel that there are reasonable gronds for discipline fo the Respondent but that no public interest would be served by the filing of Formal Charges. Further, the Inquiry Panel has determined that there are reasonable grounds to believe that the Respondent's conduct violated DR 1-102(A) (1) and (5), DR 5l-101(B), DR 5-105(A) and (B), and DR 6-101(A) of the Code of Professional Responsibility. The Inquiry Panel further finds that issuance of a Reprimand by this Committee would be appropriate discipline in this instance.

IT IS THEREFORE, ORDERED that the Respondent be, and he hereby is, reprimanded for violating DR 1-102(A) (!) and (5), DR 5-101(B), DR 5-105(A) and (B), and DR 6-101(A) of the Code of Professional Responsibility.

IT IS FURTHER ORDERED that this Reprimand be sent to the Respondent and

that a copy of this Reprimand be transmitted to the Counsel for Discipline to be maintained by him in accordance with the Disciplinary Rules of the Nebraska Supreme Court.

Dated this 26th day of September, 2002.

COMMITTEE ON INQUIRY
DISTRICT THREE

_____
Mark A. Johnson, Chair

_____
Thomas B. Thomsen, Vice Chair